

REGULAR MEETING OF THE CITY COUNCIL  
OF THE CITY OF LANSING, MICHIGAN  
CITY COUNCIL CHAMBERS, 10TH FLOOR  
LANSING CITY HALL  
124 W. MICHIGAN AVENUE



AGENDA FOR FEBRUARY 8, 2016

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TO THE HON. MAYOR AND MEMBERS OF THE CITY COUNCIL:

The following items were listed on the agenda in the City Clerk's Office in accordance with Section 3-103(2) of the City Charter and will be ready for your consideration at the regular meeting of the City Council on Monday, February 8, 2016 at 7:00 p.m. at the Council Chambers, 10th Floor, City Hall.

- I. ROLL CALL
- II. MEDITATION AND PLEDGE OF ALLEGIANCE
- III. READING AND APPROVAL OF PRINTED COUNCIL PROCEEDINGS  
Approval of the Printed Council Proceedings of January 11, 2016
- IV. CONSIDERATION OF LATE ITEMS (Suspension of Council Rule #9 is needed to allow consideration of late items. Late items will be considered as part of the regular portion of the meeting to which they relate.)
- V. TABLED ITEMS
- VI. SPECIAL CEREMONIES
- VII. COMMENTS BY COUNCIL MEMBERS AND CITY CLERK
- VIII. COMMUNITY EVENT ANNOUNCEMENTS (Time, place, purpose, or definition of event – 1 minute limit)
- IX. SPEAKER REGISTRATION FOR PUBLIC COMMENT ON LEGISLATIVE MATTERS
- X. MAYOR'S COMMENTS
- XI. SHOW CAUSE HEARINGS
- XII. PUBLIC COMMENT ON LEGISLATIVE MATTERS (Legislative matters consist of the following items on the agenda: public hearings, resolutions, ordinances for introduction, and ordinances for passage. The public may comment for up to three minutes. Speakers must sign up on white form.)
  - A. SCHEDULED PUBLIC HEARINGS
- XIII. COUNCIL CONSIDERATION OF LEGISLATIVE MATTERS
  - A. REFERRAL OF PUBLIC HEARINGS

- B. CONSENT AGENDA
  - 1. BY COUNCIL MEMBERS BROWN CLARKE, HUSSAIN, DUNBAR, HOUGHTON, SPITZLEY, WASHINGTON, WOOD, AND YORKO
    - a. Tribute; in recognition of the 3rd Annual Calvin E. Sturdivant Event
    - b. Tribute; in memory of Vivian Fay Anthony-Garner
    - c. Tribute; in recognition of the 30th Anniversary of the Reachout Christian Center Church
    - d. Tribute; in memory of Lansing Fire Captain Stephen Babcock
  - 2. BY THE COMMITTEE ON PERSONNEL
    - a. Temporary Contract; Internal Auditor James DeLine
- C. RESOLUTIONS FOR ACTION
  - 1. BY THE COMMITTEE ON DEVELOPMENT AND PLANNING
    - a. Act-15-2015; Sale of Parking Lot #24, 2000 Block of E. Michigan Ave. to 2000 Block LLC
- D. REPORTS FROM COUNCIL COMMITTEES
- E. ORDINANCES FOR INTRODUCTION and Setting of Public Hearings
- F. ORDINANCES FOR PASSAGE
- XIV. SPEAKER REGISTRATION FOR PUBLIC COMMENT ON CITY GOVERNMENT RELATED MATTERS
- XV. REPORTS OF CITY OFFICERS, BOARDS, AND COMMISSIONS; COMMUNICATIONS AND PETITIONS; AND OTHER CITY RELATED MATTERS  
**(Motion that all items be considered as being read in full and that the proper referrals be made by the President)**
  - A. REPORTS FROM CITY OFFICERS, BOARDS, AND COMMISSIONS
    - 1. Letter(s) from the City Clerk re:
      - a. Minutes of Boards, Commissions, and Authorities placed on file in the Clerk's Office
      - b. General Fund Status Report for Second Quarter of Fiscal Year 2016
      - c. Memorial Review Board Rules Of Administrative Procedure
      - d. Presidential Primary Announcement

2. Letter(s) from the Mayor re:
  - a. Resolution of Support for UrbanBeat, LLC application for a Redevelopment Liquor License
  - b. Authorizing Issuance of Wet Weather Control Program Limited Tax General Obligation Bond; Frances Park Pump Station Improvements Project
  - c. Grant Acceptance; Financial Empowerment Center Carryforward Funds for the Cities for Financial Empowerment Supplementary Grant
  - d. Grant Acceptance; Capital Region Community Foundation Grant for the Financial Capability for Youth Employment
  - e. Z-1-2016; 635 W. Willow Street, Rezoning from "B" Residential District to "DM-4" Residential District and 656 W. Maple Street, Rezoning from "B" Residential District to "DM-1" Residential District

B. COMMUNICATIONS AND PETITIONS, AND OTHER CITY RELATED MATTERS

1. Communication regarding concerns about medical marijuana dispensaries from "community leaders residing in or representing Lansing's Eastside"

XVI. MOTION OF EXCUSED ABSENCE

XVII. REMARKS BY COUNCIL MEMBERS

XVIII. REMARKS BY THE MAYOR OR EXECUTIVE ASSISTANT

XIX. PUBLIC COMMENT ON CITY GOVERNMENT RELATED MATTERS (City government related matters are issues or topics relevant to the operation or governance of the city. The public may comment for up to three minutes. Speakers must sign up on yellow form.)

XX. ADJOURNMENT



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**CHRIS SWOPE, CITY CLERK**

Persons with disabilities who need an accommodation to fully participate in this meeting should contact the City Clerk's Office at (517) 483-4131 (TDD (517) 483-4479). 24 hour notice may be needed for certain accommodations. An attempt will be made to grant all reasonable accommodation requests.

BY COUNCIL MEMBERS BROWN CLARKE, DUNBAR, HOUGHTON, HUSSAIN,  
SPITZLEY, WASHINGTON, WOOD, AND YORKO  
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Cicero E. Sturdivant, Jr. was born on July 20, 1924, in Joiner, Arkansas to Cicero Sturdivant and Eddie-Ellis Sturdivant. Cicero legally changed his name to Calvin at the age of eighteen; and

WHEREAS, Calvin Sturdivant moved to Michigan after high school, working for Fisher Body, retiring after thirty-eight years. In addition to working full time, Calvin enrolled in Lansing Community College and later attended Michigan State University; and

WHEREAS, Calvin Sturdivant was a faithful member, Sunday School Superintendent, and Co-Sunday School Teacher of Friendship Baptist Church; an editor contributor to the Lansing State Journal for several decades; author of the book, "A Railroad Ran Through It," which chronicles his childhood in segregated southern Arkansas; and an avid gardener; and

WHEREAS, Calvin met his wife, Irene Dixon, while attending church. Calvin married Irene on October 29, 1955 and together they had four children and three grandchildren before he passed away peacefully on June 24, 2013; and

WHEREAS, Calvin Sturdivant was awarded the Harriet Tubman Award at the 2002 Ellis/Sturdivant Reunion in honor of his selfless act of bringing his parents and each of his siblings to Lansing and purchased a home for them after they had lost everything in a fire in Arkansas; and

WHEREAS, the children and grandchildren of Calvin have continued his annual Black History celebration since his passing, with the 3<sup>rd</sup> Annual Calvin E. Sturdivant Memorial Black History Program will be held on February 21, 2016.

NOW, THEREFORE, BE IT RESOLVED, the Lansing City Council hereby acknowledges the 3<sup>rd</sup> Annual Calvin E. Sturdivant Memorial Black History Program and extends its appreciation in the continuation of Mr. Sturdivant's honorable legacy of integrity and humility.

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Vivian Fay Anthony-Garner was born on February 16, 1953 in Marion, Arkansas. Lansing suffered a tragic loss on January 25, 2016 with the passing of this wonderful community member. Vivian's devoted husband, Samuel and their son Andre Anthony hold tightly to their cherished memories of her; and

WHEREAS, Vivian obtained her Bachelor's Degree in Education from Michigan State University before going on to obtain a Master's Degree in Administration in 1984. In 1975 Vivian began her career with the Lansing Public School District as a teacher and later as an administrator; and

WHEREAS, Vivian was well known for her tireless efforts in raising the bar for Special Education. As a teacher, Vivian pushed for academic and personal success of her students, inspiring them to know that education was liberating; and

WHEREAS, in 2002 Vivian became the assistant principal at Everett High School. As the Director of Special Education she collaborated with staff and parents to establish a credible and progressive curriculum and support programs. Vivian retired in 2008 from Everett High School as an administrator; and

WHEREAS, Vivian will be long remembered as a vital part of the Everett High School and Lansing for her selfless, proficient, and caring style of administrating. She loved being a part of student activities, going out of her way to provide materials, time, and love to those in need. Students, parents, teachers, and colleagues will long remember her as a vital part of the Everett and Lansing community.

BE IT RESOLVED, Lansing City Council hereby recognizes Vivian Fay Anthony-Garner as a mentor, leader, devoted to her students, family and community. Lansing City Council extends its condolences and sympathy to Vivian's family and friends during this time of sorrow.

BY COUNCIL MEMBERS BROWN CLARKE, DUNBAR, HOUGHTON, HUSSAIN,  
SPITZLEY, WASHINGTON, WOOD, AND YORKO  
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, in March of 1986, Pastor David Foreman accepted the commission from God to create a local church and an outreach ministry, founding the Reachout Baptist Church. The name would later change to Reachout Christian Center Church; and

WHEREAS, God continued to bless Reachout Christian Center Church as they grew from a ten-member congregation to a membership large enough that they purchased 66 acres of land in 1992 and built a new 8,000 square feet sanctuary in 1995. In 2003, Reachout Christian Center Church was able to further expand its church and build a 10,800 square feet addition; and

WHEREAS, the goals of Reachout Christian Center Church are to establish a strong local church; provide a world outreach ministry; to worship and praise God freely, without shame, in spirit and in truth according to the principles of the Word of God; to grow up spiritually and edify each other; to apply the principles of successful Christian living and apply God's Word in day-to-day experiences; and to reach out to the lost, sick, and oppressed world, clearly communicating the promises in God's Word; and

WHEREAS, Pastor David and Evangelist Annie C. Foreman have been married for over 40 years and have five children, 18 grandchildren and seven great-grandchildren. They are both active members of the Lansing community; David currently serves as the treasurer for the Clergy Forum of Greater Lansing and Annie sits on many committees in the community and is active in the Sixty Plus Elderlaw Clinic of Cooley Law School; and

WHEREAS, Reachout Christian Center Church is hosting its 30<sup>th</sup> anniversary celebration March 9 through March 11, 2016 entitled, "Reaching out to save the Lost.....30 Years Later."

BE IT RESOLVED that the Lansing City Council wishes to congratulate Reachout Christian Center Church on its 30<sup>th</sup> year anniversary. May you continue on in your journey and service for many more years to come.

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Stephen H. “Blue” Babcock was born on January 4, 1951 to Versile and Geraldine (Lundstrum) Babcock; and

WHEREAS, Stephen and Mary Babcock met during scouting activities as kids but really got to know each other during their college years and married. They have a daughter, Sherianne and son Nathaniel; also six grandchildren; and

WHEREAS, Capt. Stephen Babcock joined the Lansing Fire Department in 1993 as a dispatcher for eight years, before becoming a full-fledged firefighter. Stephen was one of the first registered EMTs in the United States. He was with the Lansing Fire Department for 23 years and was the firehouse historian; and

WHEREAS, Stephan was transferred to Fire Department Emergency Management Division in March 2015 where he oversaw the Public Information Officers and focused on Continuity of Operations Planning for the City. He was a well-known spokesman for the Lansing Fire Department, and was often considered the “face” of the department for his work with the media; and

WHEREAS, Captain Stephen Babcock on Wednesday February 4, 2016 lost a battle of only a few months to non Hodgkins lymphoma. He was 65 leaving his wife, family and friends with cherished memories.

BE IT RESOLVED, Lansing City Council hereby recognizes Capt. Stephen Babcock as an exceptional member of the Lansing Fire Department and Lansing community, and a devoted family man. Lansing City Council extends its condolences and sympathy to his family and friends and members of the Lansing Fire Department during this time of sorrow.

BY COMMITTEE ON PERSONNEL

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, with the retirement of the City Council's Internal Auditor, the City Council is in need of temporary assistance to continue to timely fulfill its duties and obligations per the City Charter; and

WHEREAS, the Committee on Personnel met on Wednesday, February 3, 2016 and determined that the recently retired Internal Auditor can return and assist City Council on a temporary basis starting February 9, 2016 and working thru May 31, 2016; and

WHEREAS, the Internal Auditor will work up to 8 hours a day, not to exceed 32 hours bi-weekly under contract performing tasks temporarily in the capacity of Internal Auditor within the constraints of the current FY2015/2016 budget.

THEREFORE BE IT RESOLVED, the Lansing City Council hereby approves entering into a temporary contract with James DeLine for temporary services in the position of the Internal Auditor on the execution of a contract for a period mentioned above.



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## RESOLUTION # 2016-\_\_\_\_ BY THE COMMITTEE ON DEVELOPMENT AND PLANNING

### **Act-15-2015, Sale of Parking Lot #24, south of E. Michigan between Clemens and Fairview**

WHEREAS, the City of Lansing proposes to sell the 0.83 acre Parking Lot #24, in “as is” condition to 2000 Block, LLC; and

WHEREAS, the property is rectangular, approximately 0.83 acres in size, and is currently zoned “J” Parking District; and

WHEREAS, at its meeting on December 1, 2015, the Planning Board found, based on a review of the location, character, and extent of the Act-15-2015 proposal, that:

- Lot #24 is a public parking lot that primarily serves the adjacent businesses in the 2000 Block of East Michigan Ave. (south side),
- redevelopment of this parking lot could not only be a boost to the eastside, but could also relieve a financial burden to the City,
- Lot #24 contains part of two alleys that need to be vacated to facilitate development,
- utility service, snow storage, and access can be provided for in the redevelopment of the property; and

WHEREAS, the Planning Board voted unanimously (6-0) to recommend approval of Act-15-2015, a proposal to sell the 0.83 acre Parking Lot #24 to 2000 Block, LLC, and to vacate the portions of the alleys that lie within the lot; and

WHEREAS, the Committee on Development and Planning has reviewed the purchase agreement and the report and recommendation of the Planning Board and concurs therewith;

NOW THEREFORE BE IT RESOLVED, the Lansing City Council hereby approves Act-15-2015, and vacates the subject east-west alley legally described as:

Beginning at the SW corner of Lot 117, thence east 264 feet to the SE corner of Lot 124, thence south 10 feet to the NE corner of Lot 125, thence west 264 feet to the NW corner of Lot 116, thence north 10 feet to

# Draft

the P.O.B., all within Block 302, Leslie Park Subdivision, City of Lansing, Ingham County, Michigan.

BE IT FURTHER RESOLVED, that the Lansing City Council hereby vacates the subject north-south alley legally described as:

Beginning at the NE corner of Lot 116 thence south 132 feet to the SE corner of Lot 113, thence east 10 feet to the SW corner of Lot 128, thence north 132 feet to the NW corner of Lot 125, thence east 10 feet to the P.O.B. all within Block 302, Leslie Park Subdivision, City of Lansing, Ingham County, Michigan.

BE IT FURTHER RESOLVED, that the Lansing City Council hereby approves the sale of the 0.83 acre Parking Lot #24, legally described as:

Lots 113 through Lot 125 and Lots 125 through 128 of Leslie Park Subdivision, City of Lansing, Ingham County, Michigan, according to the recorded Plat thereof, as recorded I Liber 4, Page 2, Ingham County Records,

for the amount of: \$ 50,000, plus closing costs.

BE IT FINALLY RESOLVED, that the Mayor, on behalf of the City, is hereby authorized to sign and execute all documents to complete this sale, subject to prior approval as to content and form by the City Attorney.

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Chris Swope  
Lansing City Clerk

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February 5, 2016

Members of the Lansing City Council  
10th Floor City Hall  
Lansing, MI 48933

Dear Councilmembers:

The Minutes from the Meetings of the following Boards, Commissions, and Authorities of the City of Lansing were placed on file in the City Clerk's Office and are available for review in the City Clerk's Office and on the City Clerk's website ([www.lansingmi.gov/clerk](http://www.lansingmi.gov/clerk)) under the heading of "Documents Placed on File."

**BOARD NAME**

**DATE OF MEETING**

Lansing Entertainment & Public Facilities Authority

October 27, 2015

Lansing Entertainment & Public Facilities Authority

November 17, 2015

If my staff or I can provide further assistance or information relative to the filing of these minutes, please contact us at 483-4131.

Sincerely,

Chris Swope, CMC, CMMC  
Lansing City Clerk



Virg Bernero, Mayor

**OFFICE OF THE MAYOR**

9th Floor, City Hall  
124 W. Michigan Avenue  
Lansing, Michigan 48933-1694  
(517) 483-4141 (voice)  
(517) 483-4479 (TDD)  
(517) 483-6066 (Fax)

TO: City Clerk Chris Swope  
FROM: Mayor Virg Bernero  
DATE: January 29, 2016  
RE: FY 2016 2nd Quarter General Fund Status Report

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Pursuant to Section 7-110 of the City Charter, attached please find the General Fund Status Report for the second quarter of Fiscal Year 2016.

RECEIVED  
2016 JAN 29 PM 4:11  
LANSING CITY CLERK

## General Fund Status Report – FY 2016 2nd Quarter

Please see accompanying summary detail (page 3)

### Revenues

In total, General Fund revenues collected in the first quarter of Fiscal Year 2016 (July – December) were ahead of the past three years' December 31 collection rates, as a percentage of year-end amounts, at 57.0% compared to 54.2%.

- The vast majority of **Property Taxes** are collected in the first month of the fiscal year. At the end of the first half of the fiscal year, they were equal, as a percentage of budget, to the average of the past three year's first December 31 collection rates. While collections exceed budget at this time of year, they are subject to tax appeals and other adjustments throughout the remainder of the year.
- As a percentage of budget, **Income Tax** collections were higher than the average collection rate for the past three years, at 34.1% of budget, compared to 32.5%. While it should be noted that income tax revenues fluctuate from previous point-in-time trends due to timing differences in remittances, the income tax revenues have been strong the entire first half of the year.
- As of December 31, **State Revenue Sharing** and Fire Protection/Bad Driver Fees were slightly ahead of projections. However, State sales tax revenue projections, on which revenue sharing is based, are projected to come in less than had been anticipated by the State. Current State projections for payment to the City are approximately \$400,000 less than was budgeted for this fiscal year.
- **Charges for Services** were ahead of collection rates from the average of the same period for the last three years, at 46.0% of budget compared to 44.7% in prior years. While the December 31 trend is higher than the average of the last-three-year trend, they were on par with last year's trend.
- In total, **Licenses and Permits** revenues were also on par with the average collection rate of the same period for the last three years as a percentage of year-end totals, at 26.2% of budget, compared to 26.1%. Licenses and permits make up only 1.5% of General Fund revenues.
- Collection rates for **Fines and Forfeiture** for the first half of the fiscal year were higher as a percentage of year-end totals for the average of the last three years, at 48.1% of the budget compared to 40.3%, due to higher penal case and ordinance fine revenues.
- The City's **Return on Equity** payment from the Board of Water and Light (BWL), was on par with expectations, at 50.9% of budgeted revenues collected as of December 31. From a trend standpoint, December 31 revenues were higher than the average of the past three years; however that variance is due to a significant change in payment timing with the most recent agreement which took effect two years ago.
- As a category, **Interest and Rents** were only slightly behind previous years' trends. Interest revenue is posted as investments mature, the timing of which varies from year-to- year.

### **Expenditures**

In total, taking into account the vacancy factor, expenditures for General Fund operating departments (excluding debt service and transfers to other funds) were somewhat under the budgetary target, at 46.2% as of December 31, compared to a budgetary target (taking into expected expenditure patterns such as payroll timing) of 46.8%. All departments were within budgetary targets as of December 31 (again, taking into account expected expenditure patterns), with the exception of Public Service, where building maintenance costs and street lighting costs were above budgetary expectations.

It should be noted that no General Fund expenditures were incurred for the Financial Empowerment Center, because that program continues to be covered by grant funding through December 31, 2015.

### **Summary**

Through December 31, total General Fund revenues and expenditures were meeting budgetary expectations.

## 2nd Quarter General Fund Status Report – FY 2016 (as of December 31, 2015)

Revenues	Annual Budget	Actual as of 12/31/15	Percent of Budget	Avg. Percent of Year-End Actuals as of December 31 FY 2013 - 2015
Property Taxes	\$ 38,090,000	\$ 37,429,791	98.3%	98.7%
Income Taxes	32,150,000	10,974,841	34.1%	32.5%
Revenue Sharing	15,738,000	3,705,601	23.5%	21.7%
Licenses & Permits	1,574,500	411,961	26.2%	26.1%
Charges for Services	8,615,400	3,964,421	46.0%	44.7%
Fines & Forfeitures	2,542,100	1,223,896	48.1%	40.3%
Interest & Rent	36,500	25,000	68.5%	70.6%
Return on Equity	22,000,000	11,201,834	50.9%	33.7%
Other Revenue	353,500	140,340	39.7%	37.3%
Total Revenues	\$ 121,100,000	\$ 69,077,686 <sup>(1)</sup>	57.0%	54.2%
Less: Addition to Reserves	(500,000)			
	<u>\$ 120,600,000</u>			

Expenditures	Annual Budget	Actual as of 12/31/15	Percent of Budget	Target, Including Vacancy Factor
Council	\$ 708,400	\$ 296,691	42.0%	
Internal Audit	209,200	98,660	47.2%	
Courts	6,313,200	2,727,285	43.2%	
Mayor's Office	1,130,100	470,578	41.6%	
Media Center	394,200	171,358	43.5%	
Financial Empowerment Center	60,000	-	0.0%	
Clerk's Office	1,060,000	521,156	49.2%	
Planning & Neighborhood Development	910,600	419,994	46.1%	
Finance	5,192,600	2,106,367	40.6%	
Human Resources	2,052,900	686,691	33.4%	
Attorney's Office	1,915,800	749,024	39.1%	
Vacancy Factor	(800,000)	-	0.0%	
Police	37,801,800	17,196,885	45.5%	
Fire	33,840,200	15,716,594	46.4%	
Public Service	10,373,700	5,658,909	54.6%	
Human Relations & Community Service	1,128,200	467,268	41.4%	
Parks & Recreation	7,891,400	3,603,478	45.7%	
Subtotal - Departmental Budgets	\$ 110,180,300	\$ 50,890,938	46.2%	46.8%
Human Services & City Supported Agencies	\$ 1,851,400	\$ 1,072,165	57.9%	
Library Lease	165,000	72,030	43.7%	
Debt Service	1,007,100	140,075	13.9%	
Transfers	7,396,200	6,592,735	89.1%	
Subtotal - Non-departmental Budgets	10,419,700	7,877,005		
Total General Fund	<u>\$ 120,600,000</u>	<u>\$ 58,767,943</u> <sup>(1)</sup>		

Please see Pages 1 and 2 for an explanation of revenues and expenditures.

<sup>(1)</sup> Note: Year-to-date revenue is always greater than expenditures at this time of year as property taxes, accounting for 31% of General Fund revenues, are collected at the beginning of the year. Property taxes include delinquent amounts that will be reimbursed by the counties upon settlement. Property tax collections exceed budget at this time of year, but are subject to tax appeals and other adjustments throughout the year.

THIS ITEM NOT AVAILABLE AT TIME OF PRINT





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## Chris Swope

### Lansing City Clerk

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For Immediate Release  
February 4, 2016

**Media Contact:**  
Chris Swope 517-483-4131

## **For Walk-in Absentee Voting, Lansing City Clerk Opens South Washington Office to the Public and Announces Weekend Hours**

Lansing – With free parking, a 24-hour secure drop box and located on CATA route #2, the South Washington Elections Unit will open Monday, February 8 to the public in preparation for the March 8<sup>th</sup> Presidential Primary Election. Open to the public until Election Day, the South Washington Elections Unit will be open Monday thru Friday from 8 a.m. to 5 p.m. February 8 is also the voter registration deadline for the Presidential Primary.

Located at 2500 S. Washington, with the most convenient entrance in the back of the building, absentee walk-in voting at the Election Unit will also be available on the weekend at the following dates and times:

Sunday, February 28	Noon – 4:00 p.m.
Saturday, March 5	8:00 a.m. – 2:00 p.m.

In addition to the office hours, there is a secure drop box that is available 24 hours-a-day to drop off ballots and absentee ballot applications. Many voters take advantage of the drop box because of the cost and time savings.

Voters are encouraged to go to the Lansing City Clerk Facebook page or [lansingmi.gov/elections](http://lansingmi.gov/elections) web page to see the location of the drop box, and a short video on how to access the Elections Unit.

Lansing voters can also come to the City Clerk's Office on the 9<sup>th</sup> floor of City Hall during regular business hours, Monday thru Friday, 8 a.m. to 5 p.m., to complete the absentee voter application and ballot. Regardless of location, voters are asked to bring [approved picture identification](#) to expedite the process in order to vote in person.

Another option is to call the Lansing City Clerk's Office at 517-483-4133 to have an absentee application mailed or download the form at [www.lansingmi.gov/Elections](http://www.lansingmi.gov/Elections). Applications need to be completed, signed and returned in order to receive a ballot.

"With almost 5,000 absentee ballots already mailed," said Lansing City Clerk Chris Swope, "absentee voting is a very popular method to vote. All absentee ballots are counted if they are in our office by 8 p.m. on Election night either by mail or dropped off."

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Virg Bernero, Mayor

**OFFICE OF THE MAYOR**

9th Floor, City Hall  
124 W. Michigan Avenue  
Lansing, Michigan 48933-1694  
(517) 483-4141 (voice)  
(517) 483-4479 (TDD)  
(517) 483-6066 (Fax)

TO: City Council President Judi Brown Clarke and Councilmembers  
FROM: Mayor Virg Bernero  
DATE: 2-4-16  
RE: Resolution of Support for UrbanBeat, LLC, Redevelopment Liquor License

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The attached correspondence is forwarded for your review and appropriate action.

VB/rh  
Attachment

Date: February 4, 2016

To: Mayor Virg Bernero

From: Gabriella Alum – LEAP

Subject: Resolution of Support for UrbanBeat, LLC - Application for Redevelopment Liquor License

Please review the attached resolution of support and forward it to the Lansing City Council so they may refer it to the Committee on Development and Planning. The resolution is required as part of UrbanBeat's application to the Michigan Liquor Control Commission for a Redevelopment Liquor License.

BY THE COMMITTEE ON DEVELOPMENT AND PLANNING  
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, in 2006 in an effort to promote economic development in qualifying communities, the Michigan Legislature passed Act 501 of the Public Acts of 2006, being Section 521a of the Michigan Liquor Control Code of 1998, being MCL 436.1521a, which established the criteria for Development Area Liquor Licenses; and

WHEREAS, through the provisions of Public Act 501 of 2006, as amended (“Act”) the Michigan Liquor Control Commission (LCC) may issue new public on-premises liquor licenses in order to allow cities to enhance the quality of life for their residents and visitors to their communities; and

WHEREAS, Section 521a(1)(b) of the Act requires a resolution from the governing body of the community that establishes and certifies certain criteria, including a certification that the community has created a qualifying development area, and approving an applicant at a location within a development area before that applicant may apply to the Michigan Liquor Control Commission for a development area liquor license; and

WHEREAS, The Lansing City Council created the Lansing Principle Shopping District by Resolution in 1996 which the Act defines as a qualifying development area; and

Whereas, UrbanBeat, LLC (“Developer”) intends to apply to the Liquor Control Commission for a development area liquor license for its new business located at 1217 Turner Street, in Lansing, Michigan; and

Whereas, UrbanBeat, LLC meets the statutory requirements for a development area liquor license as its business of dining, entertainment or recreation, will be open to the general public and will have a seating capacity of not less than 50 persons; and

Whereas, UrbanBeat, LLC has provided evidence with its application that it can document the expenditure to the Michigan Liquor Control Commission, of not less than \$75,000.00 in the rehabilitation or restoration of the building that houses the licensed premises over the preceding 5 years as required by the Act; and

Whereas, UrbanBeat, LLC has been informed that final approval of a license at 1217 Turner Street will be subject to approval by the Michigan Liquor Control Commission.

NOW, THEREFORE, BE IT RESOLVED, that City Council recommend for the reasons stated above that the Michigan Liquor Control Commission consider the request from UrbanBeat, LLC, 1217 Turner Street, Lansing, Michigan, for the issuance of a Development District Liquor License under the Act; and

BE IT FURTHER RESOLVED, the City Council affirms that UrbanBeat, LLC, 1217 Turner Street, is within the established boundaries of the a development district; and

BE IT FINNALLY RESOLVED, That the City Clerk forward a copy of this resolution to UrbanBeat, LLC and the Michigan Liquor Control Commission.



Virg Bernero, Mayor

**OFFICE OF THE MAYOR**

9th Floor, City Hall  
124 W. Michigan Avenue  
Lansing, Michigan 48933-1694  
(517) 483-4141 (voice)  
(517) 483-4479 (TDD)  
(517) 483-6066 (Fax)

TO: City Council President Judi Brown Clarke and Councilmembers

FROM: Mayor Virg Bernero

DATE: 2-4-16

RE: Resolution—Authorizing Issuance of Wet Weather Control Program Limited Tax  
General Obligation Bond— Frances Park Pump Station Improvements Project

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The attached correspondence is forwarded for your review and appropriate action.

VB/rh  
Attachment



**City of Lansing**  
**Inter-Departmental**  
**Memorandum**



To: Virg Bernero, Mayor

From: Chad A. Gamble, P.E., Director of Public Service

Subject: CITY COUNCIL AGENDA ITEM - Frances Park Pump Station Improvements

Date: February 4, 2016

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Please forward this resolution to City Council for placement on the Agenda.

If you have any questions, or need additional information, please give me a call.

**Attachments**

**CITY OF LANSING**  
**(Ingham and Eaton Counties, Michigan)**

**Resolution No. 2016-31**

**RESOLUTION TO AUTHORIZE ISSUANCE OF  
WET WEATHER CONTROL PROGRAM  
LIMITED TAX GENERAL OBLIGATION BOND, SERIES 2016**

WHEREAS, the State of Michigan Department of Environmental Quality (the “DEQ”) has issued Administrative Consent Order No. ACO-SW02-030 (the “ACO”) requiring the City of Lansing (the “City”) to abate sanitary sewer overflows from the City’s sanitary sewage collection system; and

WHEREAS, Act 320, Public Acts of Michigan, 1927, as amended, repealed and recodified by Part 43 of Act 451, Public Acts of Michigan, 1994, as amended (“Act 451”) enables a City to issue and sell bonds to finance construction of improvements required by a permit or order issued by the DEQ; and

WHEREAS, the DEQ and the City have agreed to implement the Wet Weather Control Program State Revolving Fund Project Plan, as amended (the “Wet Weather Control Program Project Plan”), in compliance with the ACO; and

WHEREAS, the City desires to finance the Frances Park Pump Station Improvements Project as further described in plans on file with the City (the “Improvements”), which Improvements are related to the Wet Weather Control Program Project Plan and which are required by the ACO; and

WHEREAS, the City has been offered funding for the Improvements from the State Revolving Fund program (the “SRF Program”), which is a low-interest loan financing program administered by the Michigan Department of Treasury and the Michigan Finance Authority (the “Authority”); and

WHEREAS, in order to obtain loans from the SRF Program, the City must issue bonds and, on December 16, 2015, pursuant to Section 5(g) of Act 279, Public Acts of Michigan, 1909, as amended, the City published in the *Lansing City Pulse* the “Official Notice to Electors and Taxpayers of the City of Lansing of Intent to Issue Bonds Secured by the Taxing Power of the City and Right of Referendum Thereon” (the “Notice of Intent”), which described bonds to be issued in one or more series in an aggregate principal amount not-to-exceed \$5,000,000 for the purpose of paying the costs of the Improvements; and

WHEREAS, to finance the cost of making the Improvements the City Council deems it necessary to borrow the sum of not to exceed \$5,000,000 and to issue its Wet Weather Control Program Limited Tax General Obligation Bond, Series 2016 therefor pursuant to the provisions of Act 451 (the “Bond”); and

WHEREAS, the City Council determines that it is necessary to authorize either the Chief Operating Officer or, in his absence, the Director of Finance (either, an “Authorized Officer”) to complete sale and delivery of the Bond as described in the Notice of Intent and within the limitations contained in this Resolution.

NOW, THEREFORE, BE IT HEREBY RESOLVED as follows:

NECESSITY. It is necessary for the public health, safety and welfare of the City to make the Improvements pursuant to the City’s Wet Weather Control Program Project Plan and issue the Bond pursuant to Act 451 to finance construction of the Improvements.

ESTIMATED COST - PERIOD OF USEFULNESS. The total cost of the Improvements, including the payment of engineer’s fees, legal and financial expenses and other expenses incident to the financing of the Improvements, which is estimated to be approximately



\$5,000,000 is hereby approved and confirmed, and the estimated period of usefulness of the Improvements is determined to be in excess of thirty (30) years.

APPROVAL OF CONTRACT DOCUMENTS. The City hereby approves the Purchase Contract between the City and the Michigan Finance Authority (the “Authority”), the Supplemental Agreement by and among the City, the Authority and the State of Michigan acting through the Department of Environmental Quality, and the Issuer’s Certificate (the “Contract Documents”) in such form as is approved by the Authorized Officer. The Authorized Officer and the Clerk, or any one or more of them, are authorized to sign the Contract Documents.

ISSUANCE OF BOND. To defray the cost of the Improvements, including legal, engineering, financial and other expenses, the City shall issue its bond known as the “Wet Weather Control Program Limited Tax General Obligation Bond, Series 2016” (the “Bond”) in the aggregate principal sum of not to exceed \$5,000,000, as finally determined by the Authorized Officer at the time of sale, or such lesser amount thereof as shall have been advanced to the City pursuant to the Contract Documents, pursuant to the SRF Program. The balance of the cost of the Improvements, if any, shall be paid by grants or funds appropriated by the City.

During the time funds are being drawn down by the City under the Bond, the Authority will periodically provide the City a statement showing the amount of principal that has been advanced and the date of each advance, which statement shall constitute prima facie evidence of the reported information; provided that no failure on the part of the Authority to provide such a statement or to reflect a disbursement or the correct amount of a disbursement shall relieve the City of its obligation to repay the outstanding principal amount actually advanced, all accrued interest thereon, and any other amount payable with respect thereto in accordance with the terms of the Bond.

BOND TERMS. The Bond shall be issued as one fully registered manuscript bond, shall be sold and delivered to the Authority in any denomination. The Bond shall be dated the date of delivery to the Authority, or such other date approved by the Authorized Officer, and shall be payable on the dates determined by the Authorized Officer at the time of sale, provided the final maturity shall be no later than thirty years after the date of issuance. The Bond shall bear interest at the rate of two and 50/100 percent (2.50%) per annum as determined by the Authorized Officer, payable semiannually on the dates determined by the Authorized Officer at the time of sale. Notwithstanding the above, the final amount of any maturity and the terms of the Bond shall be as provided in the Contract Documents and will be finally determined by the Authorized Officer.

PAYMENT OF PRINCIPAL AND INTEREST. Both principal of and interest on the Bond shall be payable in lawful money of the United States of America to the person appearing on the Bond registration books as the registered owner thereof. Payment of principal on the Bond shall be made at the principal office of the Paying Agent (as defined below), upon surrender of the Bond. Payment of interest on the Bond shall be paid to the registered owner at the address as it appears on the registration books as of the determination date. Initially, the determination date shall be the date as of the fifteenth (15th) day of the month prior to the payment date for each interest payment; however, the determination date may be changed by the City to conform to market practice.

SECURITY. The City anticipates paying the principal of and interest on the Bond from funds lawfully available to the City for this purpose such as revenues derived from the operation of the City's sewage disposal system and ad valorem taxes pursuant to a pledge of the City's limited tax full faith and credit. The Bond shall be a limited tax general obligation of the City,

and the City hereby pledges its full faith and credit for the prompt payment of the principal of and interest on the Bond as and when due. Each year, the City shall include in its budget as a first budget obligation an amount sufficient to pay such principal and interest as the same shall become due. In the event there are insufficient moneys for the payment of principal of and interest on the Bond, the City shall levy a tax on all taxable property in the City for the prompt payment of principal and interest on the Bond; provided, however, that at the time of making any such annual tax levy, the City shall take into account in determining such annual tax levy other moneys available to pay principal of and interest on the Bond, including Net Revenues of the System, special assessments, or any other moneys available to the City. Taxes, if any, levied pursuant hereto shall be limited as to rate and amount by applicable, constitutional, statutory and charter limitations on the taxing power of the City.

PRIOR REDEMPTION. The Bond issued and sold to the Authority shall be subject to redemption prior to maturity by the City only with the prior written consent of the Authority and on such terms as may be required by the Authority.

PAYING AGENT AND REGISTRATION.

Appointment of Paying Agent. From time to time the City shall designate and appoint a Paying Agent, which may also act as transfer agent and bond registrar (the “Paying Agent”). The initial Paying Agent shall be designated by the Authorized Officer. In the event of a change in the Paying Agent, notice shall be given in writing, by certified mail, to each Registered Owner not less than sixty (60) days prior to the next interest payment date. The Paying Agent shall keep the official books for the recordation of the Registered Owners of the Bond.

Registration of Bond. Registration of the Bond shall be recorded in the registration books of the City to be kept by the Paying Agent. The Bond may be transferred only by submitting the same, together with a satisfactory instrument of transfer signed by the Registered Owner or the Registered Owner's legal representative duly authorized in writing, to the Paying Agent, after which a new Bond or Bonds shall be issued by the Paying Agent to the transferee (new registered owner) in any denomination, in the same aggregate principal amount as the Bond submitted for transfer. No transfer of Bonds shall be valid unless and until recorded on the bond registration books in accordance with the foregoing. The person in whose name any bond is registered may for all purposes, notwithstanding any notice to the contrary, be deemed and treated by the City and the Paying Agent as the absolute owner thereof, and any payment of principal and interest on any Bond to the Registered Owner thereof shall constitute a valid discharge of the City's liability upon such Bond to the extent of such payment. No Bond shall be transferred less than fifteen (15) days prior to an interest payment date nor after the Bond has been called for redemption.

Authority's Depository. Notwithstanding any other provision of this Resolution or the Bond, so long as the Authority is the owner of the Bond, (i) the Bond is payable as to principal and interest at The Bank of New York Mellon Trust Company, N. A., or at such other place as shall be designated in writing to the City by the Authority (the "Authority's Depository"); (ii) the City agrees that it will deposit with the Authority's Depository payments of the principal of and interest on the Bond in immediately available funds by 12:00 noon at least five business days prior to the date on which any such payment is due whether by maturity, redemption or otherwise; in the event that the Authority's Depository has not received the City's deposit by 12:00 noon on the scheduled day, the City shall immediately pay to the Authority as

invoiced by the Authority an amount to recover the Authority's administrative costs and lost investment earnings attributable to that late payment; and (iii) written notice of any redemption of the Bond shall be given by the City and received by the Authority's Depository at least 40 days prior to the date on which such redemption is to be made.

SALE OF BOND. The Bond shall be sold to the Authority. The City determines that a negotiated sale to the Authority is in the best interest of the City because the terms offered by the Authority are more favorable than those available from other sources of funding.

BOND FORM. The Bond shall be substantially in the form attached hereto as Exhibit A, and incorporated herein, with such changes as may be required by the Authority or as recommended by the City's Bond Counsel and approved by the officers of the City signing the Bond.

EXECUTION OF BOND. The Mayor and the Clerk of the City are hereby authorized and directed to sign the Bond, either manually or by facsimile signature, on behalf of the City. Upon execution, the Bond shall be delivered to the Authority in accordance with the Contract Documents.

BOND MUTILATED, LOST OR DESTROYED. If any Bond shall become mutilated, the City, at the expense of the holder of the Bond, shall execute, and the Paying Agent shall authenticate and deliver, a new Bond of like tenor in exchange and substitution for the mutilated Bond, upon surrender to the Paying Agent of the mutilated Bond. If any Bond issued under this Resolution shall be lost, destroyed or stolen, evidence of the loss, destruction or theft may be submitted to the Paying Agent and, if this evidence is satisfactory to both the City and the Paying Agent and indemnity satisfactory to the Paying Agent shall be given, the City, at the expense of the owner, shall execute, and the Paying Agent shall thereupon authenticate and deliver, a new

Bond of like tenor, which shall bear the statement required by Act No. 354, Public Acts of Michigan, 1972, as amended, or any applicable law hereafter enacted, in lieu of and in substitution for the Bond so lost, destroyed or stolen. If any such Bond shall have matured or shall be about to mature, instead of issuing a substitute Bond, the Paying Agent may pay the same without surrender thereof.

BOND PAYMENT FUND. For payment of principal of and interest on the Bond, there shall be established and maintained a debt service fund for the Bond (the “Bond Payment Fund”). The accrued interest, if any, and capitalized interest, if any, received at the time of delivery of the Bond shall be placed into the Bond Payment Fund. The City shall budget annually a sufficient amount to pay the annual principal of and interest on the Bond and deposit such amount in the Bond Payment Fund as needed to make payments of principal and interest as they become due. The obligation of the City to pay the principal of and interest on the Bond will be a first budget obligation. Moneys in the Bond Payment Fund shall be expended solely for payment of principal and interest on the Bond which first come due. Any moneys remaining in the Bond Payment Fund after the annual payments of principal of and interest on the Bond shall be transferred to the Sewer Fund or the General Fund and shall no longer be pledged hereunder.

CONSTRUCTION FUND. Prior to delivery and sale of the Bond, there shall be established a construction fund for the Project (the “Construction Fund”). After deducting the sums which are required to be deposited in the Bond Payment Fund, the balance of the proceeds of the Bond shall be deposited into the Construction Fund. The moneys on deposit in the Construction Fund from time to time shall be used solely for the purpose for which the Bond was issued. Any unexpended balance shall be used for such purposes as allowed by law. Any moneys remaining in the Construction Fund after payment of all such costs shall be transferred

to the Bond Payment Fund or may be returned to the Authority. After completion of the Improvements and disposition of any remaining bond proceeds, pursuant to the provisions of this Section, the Construction Fund shall be closed.

The appropriation of moneys for “eligible” (not to exceed the maximum Principle Amount of the Bond) and “ineligible” costs of the improvements (as those terms are defined by the Authority and DEQ) is hereby approved. Said moneys shall be used solely for the purposes of making improvements included in the Wet Weather Control Program Project Plan approved by the DEQ, and ancillary related expenses.

INVESTMENT OF FUNDS. Moneys in the funds and accounts established herein may be invested by the City as allowed by law, subject to the provisions of Act 20, Public Acts of Michigan, 1943, as amended, or any statute subsequently adopted regulating investments by the City, and subject to the limitations imposed by arbitrage regulations and Section 148 of the Internal Revenue Code of 1986, as amended, and the applicable regulations thereunder (collectively the “Code”).

DEPOSITORY AND FUNDS ON HAND. Moneys in the several funds and accounts maintained pursuant to this Resolution may be kept in one or more accounts at financial institutions designated by resolution of the City, and if kept in one account, the moneys shall be allocated on the books and records of the City in the manner and at the times provided in this Resolution.

COVENANTS. The City covenants and agrees with the successive holders of the Bond that so long as any of the Bond remains outstanding and unpaid as to either principal or interest:

It will cause the principal of and interest on the Bond to be paid promptly when due, but solely from the funds pledged by this Resolution.

It will make no use of the proceeds of the Bond, or any other funds which may be deemed to be proceeds of the Bond pursuant to Section 103(c) of the Code which, if the use had been reasonably expected on the date of issuance of the Bond, would have caused the Bond to be “arbitrage bonds” within the meaning of that Section, and will comply with all requirements of the Code throughout the term of the Bond.

It will not permit at any time or times any of the proceeds of the Bond or any other funds of the City to be used directly or indirectly in a manner which would result in the exclusion of the Bond from the treatment afforded by Section 103(a) of the Code, as from time to time amended.

It will, if required to do so, rebate the amount required by Section 148(f)(2) of the Code in accordance with the provisions of Section 148(f)(3) of the Code.

ADDITIONAL BONDS. In accordance with the provisions of Act 34, the City reserves the right to issue additional bonds, which shall be of equal standing and priority with the Bond.

CONTRACT WITH BONDHOLDERS. The provisions of this Resolution shall constitute a contract between the City and the holder or holders of the Bond from time to time, and after the issuance of any of such Bond, no change, variation or alteration of the provisions of this Resolution may be made which would lessen the security for the Bond. The provisions of this Resolution shall be enforceable by appropriate proceedings taken by such holder or holders, either at law or in equity.

AUTHORIZED OFFICER: Either the City’s Chief Operating Officer or, in his absence, the Director of Finance (either, the “Authorized Officer”) is hereby designated, for and on behalf of the City, to do all acts and to take all necessary steps required to effectuate the sale, issuance and delivery of the Bond to the Authority. The Authorized Officer is hereby authorized to



execute and deliver the Contract Documents in such form as the Authorized Officer shall approve. Notwithstanding any other provision of this Resolution, the Authorized Officer is authorized within the limitations of the resolution to determine the specific interest rate or rates to be borne by the Bond, not exceeding 3% per annum, the principal amount, interest payment dates, dates of maturities, and amount of maturities, redemption rights, the title of the Bond, date of issuance, and other terms and conditions relating to the Bond and the sale thereof provided, however, the last annual principal installment shall not be more than thirty years from the date of the Bond. The Authorized Officer's approval of the terms shall be evidenced by his or her signature on the document or agreement stating such terms. The Authorized Officer is hereby authorized for and on behalf of the City, without further City Council approval, to do all acts and take all necessary steps required to effectuate the sale, issuance, and delivery of the Bond. The Authorized Officer, together with the Mayor, the Clerk, and other proper officers and employees of the City, or any one or more of them, are authorized to take any actions necessary to comply with requirements of the Authority and DEQ in connection with the sale of the Bond to the Authority, and to execute any orders, receipts, agreements, pledge agreements, documents or certificates necessary or convenient to complete the transaction, including, but not limited to, any issuer's certificate, any certificates relating to federal or state securities laws, rules or regulations, any applications to the Michigan Department of Treasury, and any revenue sharing pledge agreement. The City hereby approves the Issuer's Certificate in such form as is approved by the Authorized Officer.

DEFEASANCE. In the event cash or direct obligations of the United States or obligations the principal of and interest on which are guaranteed by the United States, or a combination thereof, the principal of and interest on which, without reinvestment, come due at

times and in amounts sufficient to pay at maturity or irrevocable call for earlier optional or mandatory redemption, the principal of and interest on the Bond, shall be deposited in trust, this Resolution shall be defeased and the owners of the Bond shall have no further rights under this Resolution except to receive payment of the principal of and interest on the Bond from the cash or securities deposited in trust and the interest and gains thereon and to transfer and exchange bonds as provided herein.

INTERNAL REVENUE CODE. The City has consulted with its bond counsel and understands that the Code contains certain requirements on (i) the expenditure of proceeds from the sale of the Bond, (ii) the investment of the proceeds from the issuance of the Bond and (iii) the rebate of interest earned on the investment of the proceeds of the Bond under certain circumstances. The City hereby covenants to comply with such requirements.

BOND COUNSEL. The engagement of the firm of Dickinson Wright PLLC as bond counsel to the City in connection with the issuance of Bond is hereby ratified, confirmed and approved.

RESOLUTION SUBJECT TO MICHIGAN LAW. The provisions of this Resolution are subject to the laws of the State of Michigan.

SECTION HEADINGS. The section headings in this Resolution are furnished for convenience of reference only and shall not be considered to be a part of this Resolution.

SEVERABILITY. If any section, paragraph, clause or provision of this Resolution shall be held invalid, the invalidity of such section, paragraph, clause or provision shall not affect any of the other provisions of this Resolution.

CONFLICT. Except as provided above, all resolutions or parts thereof, insofar as the same may be in conflict herewith, are hereby repealed; provided, that the foregoing shall not

operate to repeal any provision thereof, the repeal of which would impair the obligation on the Bond.

EFFECTIVE DATE OF RESOLUTION. This Resolution is determined by the City Council to be immediately necessary for the preservation of the peace, health and safety of the City and shall be in full force and effect from and after its passage.

**EXHIBIT A**

NO. \_\_\_\_

**UNITED STATES OF AMERICA  
STATE OF MICHIGAN  
COUNTIES OF INGHAM AND EATON  
CITY OF LANSING  
WET WEATHER CONTROL PROGRAM  
LIMITED TAX GENERAL OBLIGATION BOND, SERIES 2016**

**Interest Rate**

**Maturity Date**

**Date of Original Issue**

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Registered Owner: MICHIGAN FINANCE AUTHORITY

Principal Amount:

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The City of Lansing, Ingham and Eaton Counties, Michigan (the “City”), acknowledges itself indebted and, for value received, hereby promises to pay to the Registered Owner specified above, or registered assigns, the amounts and on the Dates of Maturity set forth on Schedule I attached hereto, together with interest thereon from the dates of receipt of such funds, or such later date to which interest has been paid, until paid, at the Interest Rate per annum specified above, first payable on \_\_\_\_\_ and semiannually thereafter on the first day of April and October of each year, except as the provisions hereinafter set forth with respect to redemption of this Bond prior to maturity may become applicable hereto.

The City promises to pay to the Michigan Finance Authority (the “Authority”) the principal amount of this Bond or so much thereof as shall have been advanced to the City pursuant to a Purchase Contract between the City and the Authority and a Supplemental Agreement by and among the City, the Authority and the State of Michigan acting through the Department of Environmental Quality.

During the time funds are being drawn down by the City under this Bond, the Authority will periodically provide the City a statement showing the amount of principal that has been advanced and the date of each advance, which statement shall constitute prima facie evidence of the reported information; provided that no failure on the part of the Authority to provide such a statement or to reflect a disbursement or the correct amount of a disbursement shall relieve the City of its obligation to repay the outstanding principal amount actually advanced, all accrued interest thereon, and any other amount payable with respect thereto in accordance with the terms of this Bond.

Notwithstanding any other provision of this Bond, so long as the Authority is the owner of this Bond, (a) this Bond is payable as to principal and interest at The Bank of New York Mellon Trust Company, N. A., or at such other place as shall be designated in writing to the City by the Authority (the "Authority's Depository"); (b) the City agrees that it will deposit with the Authority's Depository payments of the principal of and interest on this Bond in immediately available funds by 12:00 noon at least five business days prior to the date on which any such payment is due whether by maturity, redemption or otherwise; in the event that the Authority's Depository has not received the City's deposit by 12:00 noon on the scheduled day, the City shall immediately pay to the Authority as invoiced by the Authority an amount to recover the Authority's administrative costs and lost investment earnings attributable to that late payment; and (c) written notice of any redemption of this Bond shall be given by the City and received by the Authority's Depository at least 40 days prior to the date on which such redemption is to be made.

This Bond being one fully registered manuscript bond is issued in accordance with the provisions of Part 43 of Act 451, Public Acts of Michigan, 1994, as amended ("Act 451"), and a resolution adopted by the City Council of the City on \_\_\_\_\_, 2016, for the purpose of paying a portion of the cost of purchasing, acquiring and constructing sanitary sewer improvements (the "Improvements") as part of the Wet Weather Control Program State Revolving Fund Project Plan, as amended, in compliance with Michigan Department of Environmental Quality Administrative Consent Order No. ACO-SW02-030.

The City has pledged the limited tax, full faith, credit and resources of the City for the prompt payment of the principal of and interest on the Bond, in which event the City may levy a tax on all taxable property in the City for the payment of principal and interest on the Bond, which tax shall be limited as to rate and amount by applicable constitutional, statutory and charter limitations on the taxing power of the City. The City reserves the right to issue additional bonds in accordance with the provisions of Act 451 or other applicable law which shall be of equal standing and priority with the Bond.

This Bond is subject to redemption prior to maturity by the City only with the prior written consent of the Authority and on such terms as may be required by the Authority.

In the event of a default in the payment of principal or interest hereon when due, whether at maturity, by redemption or otherwise, the amount of such default shall bear interest (the "additional interest") at a rate equal to the rate of interest which is two percent above the Authority's cost of providing funds (as determined by the Authority) to make payment on the bonds of the Authority issued to provide funds to purchase this Bond but in no event in excess of the maximum rate of interest permitted by law. The additional interest shall continue to accrue until the Authority has been fully reimbursed for all costs incurred by the Authority (as determined by the Authority) as a consequence of the City's default. Such additional interest shall be payable on the interest payment date following demand of the Authority. In the event that (for reasons other than the default in the payment of any municipal obligation purchased by the Authority) the investment of amounts in the reserve account established by the Authority for the bonds of the Authority issued to provide funds to purchase this Bond fails to provide sufficient available funds (together with any other funds which may be made available for such purpose) to pay the interest on outstanding bonds of the Authority issued to fund such account, the City shall and hereby agrees to pay on demand only the City's pro rata share (as determined by the Authority) of such deficiency as additional interest on this Bond.

It is hereby certified and recited that all acts, conditions and things required by law, precedent to and in the issuance of this Bond, exist and have been done and performed in regular and due time and form as required by law and that the total indebtedness of the City including this Bond, does not exceed any constitutional or statutory limitation.

IN WITNESS WHEREOF, the City of Lansing, Ingham and Eaton Counties, Michigan, by its City Council, has caused this Bond to be signed, by the manual or facsimile signatures of its Mayor and Clerk, all as of the \_\_\_\_\_ day of \_\_\_\_\_, 2016.

\_\_\_\_\_  
Virg Bernero, Mayor

\_\_\_\_\_  
Chris Swope, Clerk

## ASSIGNMENT

For value received, the undersigned hereby sells, assigns and transfers unto \_\_\_\_\_

\_\_\_\_\_  
(please print or type social security number or taxpayer identification number and name and address of transferee)

the within bond and all rights thereunder, and does hereby irrevocably constitute and appoint \_\_\_\_\_ attorney to transfer the within bond on the books kept for registration thereof, with full power of substitution in the premises.

Dated: \_\_\_\_\_ Signed: \_\_\_\_\_

In the presence of: \_\_\_\_\_

**Notice:** The signature to this assignment must correspond with the name as it appears upon the face of the within bond in every particular, without alteration or enlargement or any change whatever. When assignment is made by a guardian, trustee, executor or administrator, an officer of a corporation, or anyone in a representative capacity, proof of his authority to act must accompany the bond.

Signature(s) must be guaranteed by an eligible guarantor institution participating in a Securities Transfer Association recognized signature guaranty program.

Signature Guaranteed: \_\_\_\_\_

SCHEDULE I

**Name of Issuer**                      **CITY OF LANSING**  
**DEQ Project No:**                **5581-01**  
**DEQ Approved Amount:**

**SCHEDULE I**

Based on the schedule provided below, unless revised as provided in this paragraph, repayment of principal of the Bond shall be made until the full amount advanced to the Issuer is repaid. In the event the Order of Approval issued by the Department of Environmental Quality (the "Order") approves a principal amount of assistance less than the amount of the Bond delivered to the Authority, the Authority shall only disburse principal up to the amount stated in the Order. In the event (1) that the payment schedule approved by the Issuer and described below provides for payment of a total principal amount greater than the amount of assistance approved by the Order or (2) that less than the principal amount of assistance approved by the Order is disbursed to the Issuer by the Authority, the Authority shall prepare a new payment schedule that shall be effective upon receipt by the Issuer.

<u>Due Date</u>	<u>Amount of Principal Installment Due</u>
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Interest on the Bond shall accrue on that portion of principal disbursed by the Authority to the Issuer from the date principal is disbursed, until paid, at the rate of 2.50% per annum, payable \_\_\_\_\_ 1, 20\_\_, and semiannually thereafter.

The Issuer agrees that it will deposit with The Bank of New York Mellon Trust Company, N. A., or at such other place as shall be designated in writing to the Issuer by the Authority (the "Authority's Depository") payments of the principal of and interest on this Bond in immediately available funds by 12:00 p.m. (noon) at least five business days prior to the date on which any such payment is due whether by maturity, redemption or otherwise. In the event that the Authority's Depository has not received the Issuer's deposit by 12:00 p.m. (noon) on the scheduled day, the Issuer shall immediately pay to the Authority as invoiced by the Authority an amount to recover the Authority's administrative costs and lost investment earnings attributable to that late payment.



YEAS: \_\_\_\_\_

NAYS: \_\_\_\_\_

ABSTAIN: \_\_\_\_\_

RESOLUTION DECLARED ADOPTED.

\_\_\_\_\_  
Chris Swope, City Clerk  
City of Lansing

STATE OF MICHIGAN    )  
                                  ) SS  
COUNTY OF INGHAM    )

I, Chris Swope, the duly qualified and acting Clerk of the City of Lansing, Ingham and Eaton Counties, Michigan (the “City”) do hereby certify that the foregoing is a true and complete copy of a resolution adopted by the City Council at a meeting held on \_\_\_\_\_, 2016, the original of which is on file in my office. Public notice of said meeting was given pursuant to and in compliance with Act No. 267, Public Acts of Michigan, 1976, as amended.

IN WITNESS WHEREOF, I have hereunto affixed my signature this \_\_\_\_ day of \_\_\_\_\_, 2016.

\_\_\_\_\_  
Chris Swope, City Clerk  
City of Lansing

RESOLUTION # \_\_\_\_\_  
BY THE COMMITTEE ON WAYS AND MEANS  
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, The City of Lansing Mayor's Office / Office of Financial Empowerment received a Financial Empowerment Center Grant in 2013-2015 and

WHEREAS, The Financial Empowerment Center grant was a Bloomberg Philanthropies and Cities for Financial Empowerment (CFE) Fund grant and was awarded to select cities as a part of a competitive process; and

WHEREAS, The Financial Empowerment Center grant is designed to target the major financial challenges experienced by the Lansing population, focusing on residents unable to meet basic needs and residents facing barriers to affordable housing through financial counseling and education; and

WHEREAS, the Cities for Financial Empowerment (CFE) Fund awarded \$116,000.00 per year to the City of Lansing and \$384,000.00 per year to Capital Area Community Services for the duration of Three (3) years; and

WHEREAS, Capital Area Community Services underspent their portion of the grant by \$93,314.00 as of December 31, 2015; and

WHEREAS, the Cities for Financial Empowerment (CFE) Fund returned this \$93,314.00 to the City of Lansing for the purposes of contributing toward 2016 funding for the continuation of the City's Financial Empowerment Center.

NOW, THEREFORE, BE IT RESOLVED, The Lansing City Council approves acceptance of the Financial Empowerment Center carryforward funds in the total amount of \$93,314.00 for supporting the continuation of the Center.

BE IT FINALLY RESOLVED, The Administration is authorized to create appropriate accounts and to make the necessary operating transfers for the expenditure and control of the balance of the grant funds.

Approved for Placement on City Council Agenda

\_\_\_\_\_  
Janene McIntyre, City Attorney

Date: \_\_\_\_\_

BY THE COMMITTEE ON WAYS AND MEANS RESOLVED BY THE CITY  
COUNCIL OF THE CITY OF LANSING

WHEREAS, The City of Lansing will receive a Capital Region Community Foundation Grant for “Financial Capability for Youth Employment”; and

WHEREAS, the Capital Region Community Foundation grant was the result of a competitive proposal process, and a proposal was submitted by the Office of Financial Empowerment on September 1, 2015, approved on November 18, 2015, and will be paid in late February 2016; and

WHEREAS, The Capital Region Community Foundation grant supports providing financial education and access to safe, affordable bank accounts to youth ages 14-25 who are employed on a part-time, temporary basis by the City of Lansing Parks and Recreation Department; and

WHEREAS, Capital Region Community Foundation awarded \$9,400.00 to the City of Lansing’s Office of Financial Empowerment; and

WHEREAS, the award for \$9,400.00 does not require a local match;

NOW, THEREFORE, BE IT RESOLVED, The Lansing City Council approves acceptance of the Capital Region Community Foundation grant in the total amount of \$9,400.00 for the grant period beginning January 1, 2016 and ending December 31, 2016 for the City of Lansing.

BE IT FINALLY RESOLVED, The Administration is authorized to create appropriate accounts and to make the necessary operating transfers for the expenditure and control of the balance of the grant funds.

Approved for Placement on City Council Agenda

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Janene McIntyre, City Attorney

Date: \_\_\_\_\_

GENERAL INFORMATION

APPLICANT:	TWG Development, LLC 333 N. Pennsylvania Street, Suite 100 Indianapolis, IN 46204
OWNERS:	635 W. Willow Street: Preservation Nonprofit Housing Corp. 1118 S. Washington Avenue Lansing, MI 48910  656 W. Maple Street: Ingham County Land Bank 3024 Turner Street Lansing, MI 48906
REQUESTED ACTION:	635 W. Willow Street: Rezone from "B" Residential to "DM-4" Residential  656 W. Maple Street: Rezone from "B" Residential to "DM-1" Residential
EXISTING LAND USE:	Former Michigan School for the Blind High School (656 W. Maple Street) and auditorium (635 W. Willow Street)
EXISTING ZONING:	"B" Residential District
PROPOSED ZONING:	635 W. Willow Street: "DM-4" Residential District 656 W. Maple Street: "DM-1" Residential District
PROPERTY SIZE & SHAPE:	635 W. Willow Street: 2.43 acres 656 W. Maple Street: 1.74 acres
SURROUNDING LAND USES:	N: Single & Multi-Family Residential/Vacant MI School for the Blind Abigail Building S: Single Family Residential/Vacant MI School for the Blind Abigail Building E: Vacant/Neighborhood Empowerment Center W: Vacant MI School for Blind Abigail Building/Mid-Michigan Leadership Academy
SURROUNDING ZONING:	N: "B", "C" & "DM-1" Residential Districts S: "DM-1" & "C" Residential Districts E: "B" Residential & "D-1" Professional Office District W: "B" & "DM-1" Residential District

MASTER PLAN DESIGNATION: The Design Lansing Comprehensive Plan designates the subject property for "Community Facilities". W. Maple Street is designated as a local road and W. Willow Street is designated as a collector road.

### **SPECIFIC INFORMATION**

This is a request by TWG Development, LLC, to rezone the property at 635 W. Willow Street from "B" Residential to "DM-4" Residential and to rezone the property at 656 W. Maple Street from "B" Residential to "DM-1" Residential. The purpose of the rezoning is to permit multiple family residential use of the subject properties.

The applicant proposes to demolish the existing auditorium building at 635 W. Willow Street and construct a 4-story, 72 unit (18 1-bedroom, 36 2-bedroom & 18 3-bedroom units), affordable, multi-family residential apartment building. The building at this location will also include 2,400 square feet of lobby and amenity space, 1,100 square feet of community space and a 600 square foot police substation. 128 parking vehicular parking spaces and 16 bicycle parking spaces will be provided.

The applicant proposes to rehabilitate the former high school building at 656 W. Maple Street into 18 (9 1-bedroom and 9 2-bedroom) senior citizen apartment units. The building will include 3,200 square feet of lobby and amenity space. 25 parking vehicular parking spaces and 4 bicycle parking spaces will be provided.

### **BACKGROUND INFORMATION**

The original Michigan School for the Blind (MSB) property has been divided into 10 parcels of land. The Mid-Michigan Leadership Academy Charter School owns a 7.05 acre parcel at the west end of W. Maple Street. The vacant 10.56 acre parcel at the westernmost end and the 3 vacant parcels at the northeast corner of the original MSB property are zoned "B" Residential and are currently owned by the Ingham County Land Bank.

The former MSB library building at 600 W. Maple Street has been converted to the Neighborhood Empowerment Center. The former MSB Superintendent's house at 1141 N. Pine Street has been converted into a professional office building. These 2 sites were rezoned in 2009 from "B" Residential to "D-1" Professional Office district.

The 6.8 acre parcel that contains the former, 3-story, 63,000 square foot MSB administration building, commonly referred to as the "Abigail Building" is currently owned by the Preservation Non-Profit Housing Corporation. This property was rezoned from "B" Residential to "DM-1" Residential in 2006. The current development proposal for the site includes rehabilitation of the "Abigail" building for 42 (20 1-bedroom & 22 2-bedroom units) affordable, senior citizen

apartment units. The building will include 5,100 square feet of lobby and amenity space. 62 vehicular parking spaces and 10 bicycle parking spaces will also be provided. Since this site is already zoned for multiple family residential use, administratively site plan review is all that will be required for rehabilitation of the building and site improvements.

The remaining 2 parcels are the subject of this rezoning request. These include the former 1.74 acre MSB high school property at 656 W. Maple Street and the former 2.43 acre MSB auditorium building property at 635 W. Willow Street.

### **AGENCY RESPONSES:**

BWL:

Building Safety: The BSO has no objections. Site Plan Review and Building Construction Reviews will be required.

Development:

Fire Marshal:

Parks & Recreation: No comments.

Public Service:

Transportation: The Transportation and Non-Motorized Section of the Public Service Department has no comments or requirements related to the rezoning request. Driveway locations onto Willow Street may need to be moved to maximize sight distance through the curve at the west drive of the proposed parking lot and eliminate interlocking left turns on Willow Street at the proposed east driveway. These issues will be addressed during the site plan review process.

### **ANALYSIS**

#### **COMPATIBILITY WITH SURROUNDING LAND USE**

The character of the site and hence, its compatibility with the surrounding area, will remain virtually unchanged as a result of the proposed development. The proposed development involves adaptive reuse of the "Abigail" building at 715 W. Willow Street for 42 units of senior citizen housing, adaptive reuse of the former high school buildings at 656 W. Maple Street for 18 units of senior citizen housing and construction of a new building in the same location as the former auditorium building at 635 W. Willow Street that would contain 72 units of affordable, non-age restricted housing. The addition of 60 units of senior housing in existing buildings will only serve to enhance an area that is already characterized by a diverse land use pattern consisting of schools, offices, recreational facilities and residential uses of varying densities. In fact, senior

housing is the least intensive use that could occupy the buildings at 715 W. Willow and 656 W. Maple Street. Senior citizen housing typically generates a very low volume of traffic, noise and other potential nuisances as compared to other types of multiple-family housing facilities or even single family developments. The proposed 72 unit, affordable, non-senior housing building on the property at 635 W. Willow Street, will have a density of 30 dwelling units per acre and will also be compatible with the area in which it will be located. In fact, there is a multiple family residential, non-senior housing complex located at 608 W. Willow Street, just 150 feet to the northwest of the proposed development that also has a density of 30 dwelling units per acre.

The applicant's proposal includes 3 separate parcels of land (635 W. Willow, 715 W. Willow and 656 W. Maple Street). The applicant intends to combine the 2 parcels (715 W. Willow and 656 W. Maple Street) that will be used for senior citizen housing into one parcel. For tax purposes, the 635 W. Willow Street parcel that will contain affordable, non-age restricted housing will continue to be a stand-alone parcel. Although there will ultimately be 2 separate parcels of land, the development will function as one site. While the proposed density (approximately 30 dwelling units per acre) for the former MSB auditorium parcel at 635 W. Willow Street is much higher than that of the other 2 parcels (6-10 dwelling units per acre), the total density for all 3 existing parcels combined is only 12 dwelling units per acre which is quite low for a multiple family residential development and will not be disruptive to the character of the neighborhood or the quality of life for its current residents.

### **COMPLIANCE WITH MASTER PLAN**

The Design Lansing Comprehensive Plan designates the entire Michigan School for the Blind property for "community facilities". The community facility role is fulfilled on the site through the Neighborhood Empowerment Center at 600 W. Maple Street and the Mid-Michigan Leadership Academy at 730 W. Maple Street.

The applicant's proposal accomplishes a primary goal of the City's comprehensive plan which is to rehabilitate and make use of historically and architecturally significant buildings. There are three historically significant building on the Michigan School for the Blind site, including the superintendent's house that has been converted to professional offices, the "Abigail" building at 715 W. Willow Street that has already been rezoned to "DM-1" to accommodate multiple family residential use and the high school building at 656 W. Maple Street that is part of this rezoning request. While the buildings are not in a local historic district, the applicant is committed to preserving the historical and architectural character of both the "Abigail" and the high school buildings.

The intent of the Design Lansing Comprehensive Plan is, among other things, to concentrate higher density residential uses close to non-local roads and to encourage designs that maximize green space. The applicant's proposal accomplishes both of these goals. All traffic from the proposed new, 72 unit apartment building at 635 W. Willow Street and the reuse of the "Abigail" building for 42 residential units will be accessed solely from W. Willow Street which is collector road. Only the 18 units that will be in the former high school building will be accessed via a local street (W. Maple Street). In addition, the proposed development will be designed to maximize green space on the site to greatest extent possible. The new building at 635 W. Willow will be

located at the south end of that parcel with the parking to its north. From a planning standpoint, it is typically far more desirable to have a building located at or near the front property/street line with the parking in the rear. In this case, however, the proposed design is far more desirable as it will preserve the courtyard/park in the center of the property which is one of the most significant assets of the former MSB property. Placing a large parking lot between the building and the existing courtyard/park would make the building seem detached from the courtyard/park area and diminish its peaceful, pedestrian-oriented and passive recreational atmosphere. The building on the MSB high school property is already located at the north end of that parcel adjacent to the courtyard/park with the future parking lot proposed to be located to its south. As evidenced by the attached site plan, the proposed development will be designed in a manner that maximizes green space, preserves the courtyard/park in the center of the site and has the least amount of impact on the surrounding area from a traffic, environmental and general compatibility standpoint.

### **IMPACT ON VEHICULAR AND PEDESTRIAN TRAFFIC**

No negative impacts on vehicular or pedestrian traffic are anticipated to result from the proposed rezoning/development. The traffic associated with the proposed senior citizen housing at 715 W. Willow (Abigail Building) and the former high school building at 656 W. Maple Street is anticipated to be minimal. Senior citizen housing typically generates less traffic than housing for other age groups. Furthermore, all traffic associated with the proposed development, with the exception of the former high school building property, will be directly to and from W. Willow Street which is a collector road designed to carry a relatively high volume of traffic. The only traffic that will impact the local roads is the traffic from the proposed 18 units in the former high school building. Access to this site will be from W. Maple Street. While W. Maple Street is designated as a local road, there is already a strong presence of nonresidential traffic on this street from the Mid-Michigan Leadership Academy and the Neighborhood Empowerment Center.

### **ENVIRONMENTAL IMPACT**

Given the amount of human intervention already occurring on the site, no negative environmental impacts are anticipated to result from this request. Construction of the new building and related site improvements at 635 W. Willow as well as the rehabilitation of the existing buildings with related site improvements will require administrative site plan review. As part of this process, a storm-water management plan must be submitted for review and approval by the City Public Service Department.

### **IMPACT ON FUTURE PATTERNS OF DEVELOPMENT**

As described in the preceding paragraphs of this staff report, the proposed development will be compatible with the surrounding area in all respects including use, density and site design. Thus, the proposed project/rezoning will set a positive pattern for future development/zoning in the area including the remaining vacant portion of the MSB site to the west of the subject properties.



### **SUMMARY**

This is a request by TWG Development, LLC, to rezone the property at 635 W. Willow Street from "B" Residential to "DM-4" Residential and to rezone the property at 656 W. Maple Street from "B" Residential to "DM-1" Residential. The purpose of the rezoning is to permit multiple family residential use of the subject properties.

The proposed rezoning complies with the intent and purpose of the Design Lansing Comprehensive Plan. The request is also compatible with the mixed land use composition of the area. Furthermore, no adverse impacts on vehicular and pedestrian traffic, the environment or future patterns of development are anticipated to result from approval of this rezoning.

### **RECOMMENDATION**

Staff recommends that Z-1-2016 be approved to rezone the property at 635 W. Willow Street from "B" Residential District to "DM-4" Residential District and to rezone the property at 656 W. Maple Street from "B" Residential to "DM-1" Residential District, based on the findings of fact as outlined in this staff report.

**Respectfully Submitted,**

**Susan Stachowiak  
Zoning Administrator**

## **NAME OF CURRENT OWNERS**

### Parcel C and D Owner

Preservation Nonprofit Housing Corporation  
1118 S. Washington Ave.  
Lansing, MI 48910  
417-364-8907

### Parcel E, F, and G Owner

Ingham County Land Bank Fast Track Authority  
3024 Turner Street  
Lansing, MI 48906  
517-267-5221

## **NARRATIVE**

This petition for re-zoning desires to rezone five (5) total parcels on the former Michigan School for the Blind Campus. TWG Development, LLC currently has these five (5) parcels under contract with the current owners, including the Preservation Nonprofit Housing Corporation and Ingham County Land Bank Fast Track Authority.

It is requested that Parcel C, which is currently zoned "B", be zoned "DM-4" allowing for the new construction of 72 affordable multi-family housing units. The construction on Parcel C will include a four-story structure with a 49' height (measured from ground to parapet midpoint). The unit mix will be: 18 one-bedrooms, 36 two-bedrooms, and 18 three-bedrooms. The structure will also include 2,400 square feet of lobby and amenity space, 1,100 square feet of community space, and 600 square feet designated as a police substation. Parcel C will include 128 parking spaces (6 spaces accessible) and 16 bicycle spots.

It is requested that Parcels E, F, and G, which are currently zoned "B", be zoned "DM-4". Per the attached site plan, no construction is scheduled to occur on Parcels E, F, and G. "DM-4" zoning would allow similar future development as that proposed for Parcel C.

It is requested that Parcel D, which is currently zoned "B", be zoned "DM-1" allowing for the rehabilitation of the High School building into 18 affordable senior housing units. The unit mix will be: 9 one-bedrooms, 9 two-bedrooms, and 18 three-bedrooms. The High School will include 3,200 square feet of lobby and amenity space. Parcel D will include 25 parking spaces (3 spaces accessible) and 4 bicycle spots.

No re-zone is being sought for Parcel B. Parcel B is currently zoned "DM-1", which allows for the rehabilitation of the Abigail building into 42 affordable senior housing units. The Abigail will include: 20 one-bedrooms, and 22 two-bedrooms. 5,100 square feet of lobby and amenity space will be included. The Abigail will feature 62 parking spaces (4 accessible) and 10 bicycle spots.

## APPLICANT CONTACT INFORMATION

TWG Development, LLC  
333 N. Pennsylvania Street, Suite 100  
Indianapolis, IN, 46204

Attention:  
J.B. Curry  
Phone 317-653-3083  
Email [jcurry@twgdev.com](mailto:jcurry@twgdev.com)

CURRENTLY ZONED "B"  
REQUESTING ZONE "DM-4"

DEMO OF AUDITORIUM AND NEW CONSTRUCTION  
FOUR STOREY STRUCTURE, 49' TALL  
(FROM GROUND TO PARAPET MIDPOINT)  
SETBACKS TO MEET ZONING REQUIREMENTS

AFFORDABLE MULTI-FAMILY HOUSING (100%)  
 72 UNITS: 18 ONE BDRM, 36 TWO BDRM, 18 THREE BDRM  
 2,400 SF OF LOBBY AND APARTMENT AMENITY SPACE  
 1,100 SF OF COMMUNITY SPACE AND 600 SF POLICE SUBSTATION

128 PARKING SPOTS (SIX ACCESSIBLE)  
16 BICYCLE PARKING SPOTS  
PARKING LOT DESIGN AND LANDSCAPE TO MINIMIZE CAR NOISE AND LIGHT  
LANDSCAPED BUFFER STRIP ALONG WILLOW STREET AND PARKING ENTRANCES

PARCEL E, F AND G  
CURRENTLY ZONED "B"  
REQUESTING ZONE "DM-4"  
(COMBINE WITH PARCEL C)

PARCEL B (6.8 ACRES)  
PID: 33-01-01-08-427-031  
715 W. WILLOW ST

CURRENTLY ZONED "DM-1"  
(NEW USE FITS ZONING)

REHABILITATION OF ABIGAIL BUILDING

**AFFORDABLE SENIOR HOUSING (100%)**  
42 UNITS: 20 ONE BDRM, 22 TWO BDRM  
5,100 SF OF LOBBY AND APARTMENT AMENITY SPACE

62 PARKING SPOTS (FOUR ACCESSIBLE)  
10 BICYCLE PARKING SPOTS  
PARKING LOT DESIGN AND LANDSCAPE TO MINIMIZE CAR NOISE AND LIGHT  
LANDSCAPED BUFFER STRIP ALONG WILLOW STREET AND PARKING ENTRANCES

PARCEL D (1.74 ACRES)  
PID: 33-01-01-08-427-051  
635 W. MAPLE ST

CURRENTLY ZONED "B"  
REQUESTING ZONE "DM-1"

REHABILITATION OF HIGH SCHOOL BUILDING

AFFORDABLE SENIOR HOUSING (100%)  
18 UNITS: 9 ONE BDRM, 9 TWO BDRM, 18 THREE BDRM  
3,200 SF OF LOBBY AND APARTMENT AMENITY SPACE

25 PARKING SPOTS (THREE ACCESSIBLE)  
4 BICYCLE PARKING SPOTS  
PARKING LOT DESIGN AND LANDSCAPE TO MINIMIZE CAR NOISE AND LIGHT  
LANDSCAPED BUFFER STRIP ALONG MAPLE STREET AND PARKING ENTRANCES

PARCEL E  
PO. 33-01-01-08-427-06  
N. PINE ST  
ZONED "B"

PARCEL F  
PID: 33-01-01-08-427-071  
N. PINE ST

PARCEL C  
PID: 33-01-01-08-427-081  
N. PINE ST

NOT INCLUDED\*  
PID: 33-01-01-08-427-09  
INGHAM COUNTY LAND BANK  
1141 N PINE ST  
ZONED "D-1"

NOT INCLUDED\*  
PID: 33-01-01-08-427-10  
GREATER LANSING HOUSING  
COALITION  
600 W MAPLE ST

ZONED T-1

FORMER LANSING SCHOOL FOR  
THE BLIND

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**Cornerstone Architects**  
Grand Rapids Detroit Traverse City  
Architecture Interior Design Historic Preservation  
4400 3rd Avenue, SE Grand Rapids, MI 49504  
815.774.6009 www.cornerstone-arch.com 616.774.2864

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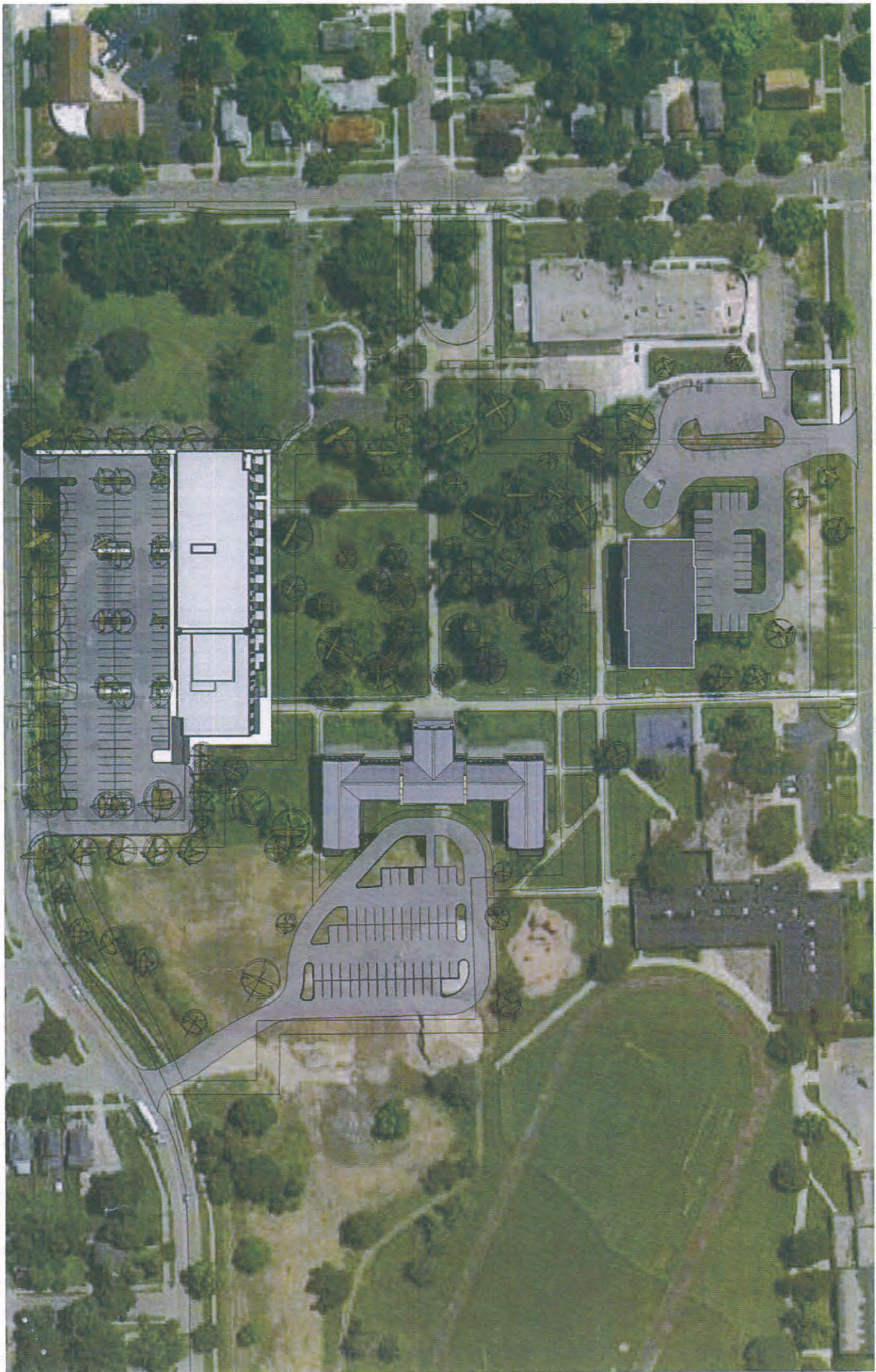




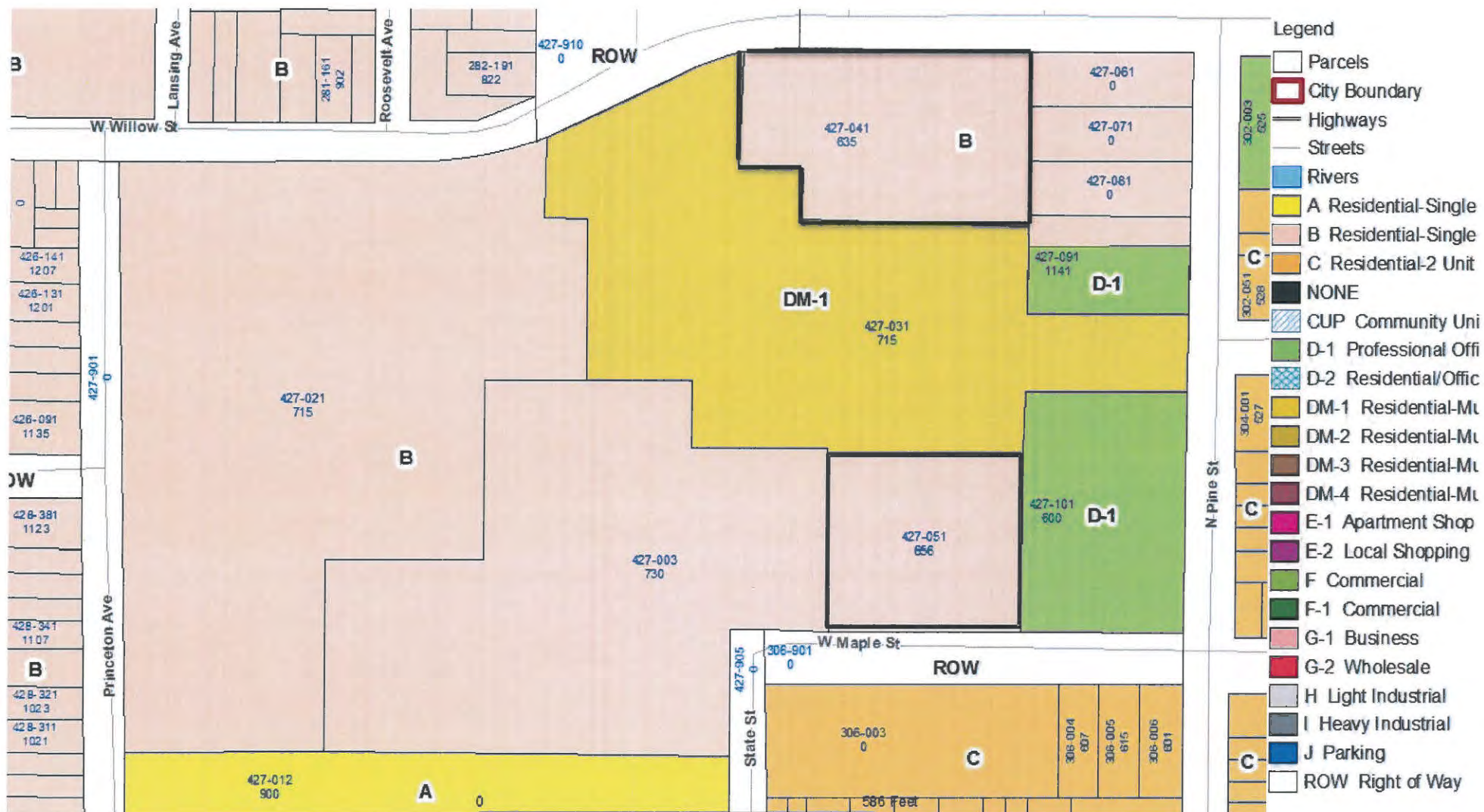














The Lansing Planning Board, at its regular meeting held on February 2, 2016, voted (4-0) to recommend approval of a request by TWG Development, LLC to rezone 635 W. Willow Street from "B" Residential District to "DM-4" Residential District and to rezone the property at 656 W. Maple Street from "B" Residential to "DM-1" Residential. The purpose of the rezoning is to permit multiple family residential use of the subject properties.

The Planning Board found, based on testimony, evidence and the staff report, that the proposed rezoning will be consistent with the existing land use patterns in the area and with goals of the future land use pattern being advanced in the Design Lansing Comprehensive Plan.

At the Planning Board public hearing held on February 2, 2016, the applicant's representative and 5 other individuals spoke in favor of the request. No other comments were received.

ORDINANCE # \_\_\_\_\_

AN ORDINANCE OF THE CITY OF LANSING, MICHIGAN, PROVIDING FOR THE REZONING OF A PARCEL OF REAL PROPERTY LOCATED IN THE CITY OF LANSING, MICHIGAN AND FOR THE REVISION OF THE DISTRICT MAPS ADOPTED BY SECTION 1246.02 OF THE CODE OF ORDINANCES.

The City of Lansing ordains:

Section 1. That the district maps adopted by and incorporated as Section 1246.02 of the Code of Ordinances of the City of Lansing, Michigan be amended to provide as follows:

To change the zoning classification of the property described as follows:

Case Number: Z-1-2016

Address: 635 W. Willow Street

Parcel Number: PPN: 33-01-01-08-427-041

Legal Descriptions: PARCEL C PART OF THE SOUTHWEST 114 OF SECTION 9, T4N-R2W, CITY OF LANSING, INGHAM COUNTY, MICHIGAN AND PART OF LOTS 1 & 2 OF BLOCK 26 OF THE "MAP OF THE SUBDIVISION OF BLOCKS 26 AND 27 IN TOWN OF MICHIGAN" AS RECORDED IN APRIL, 1849 BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS, COMMENCING AT A M.A.G. NAIL AT THE INTERSECTION OF THE WEST LINE OF NORTH PINE STREET (82.5 FEET WIDE) AND THE SOUTH LINE OF WEST WILLOW STREET (VARIABLE WIDTH), SOLD POINT ALSO BEING THE NORTHEAST COMER OF LOT 1, BLOCK 26 OF THE 'MAP OF THE SUBDIVISION OF BLOCKS 26 AND 27 IN TOWN OF MICHIGAN" AS RECORDED IN APRIL, 1849, THENCE N88DEG 10 MIN 25 SEC W, 240-00 FEET ALONG THE SOUTHERLY LINE OF WEST WILLOW STREET TO THE POINT OF BEGINNING OF THE FOLLOWING DESCRIBED PARCEL THENCE S01DEG 45 MIN 54 SEC W, 262.43 FEET TO THE SOUTHEAST COMER OF LOT 2 BLOCK 26 OF SAID PLAT; THENCE N88DEG 09 MIN 21 SEC W, 337.50 FEET ALONG THE SOUTH LINE OF SAID LOT 2 TO THE SOUTHWEST COMER OF SAID LOT 2, THENCE N01DEG 45 MIN 54 SEC E, 76.74 FEET ALONG THE WEST LINE OF SAID LOT 2, THENCE N86DEG 59MIN 21SEC W, 95.41 FEET, THENCE N01DEG 45 MIN 54 SEC E, 173.08 FEET TO THE SOUTH LINE OF WEST WILLOW STREET (VARIABLE WIDTH), THENCE ALONG THE SOUTH LINE OF WEST WILLOW STREET THE FOLLOWING TWO (2) COURSES., (1) 80.21 FEET ALONG A 341.85 FOOT RADIUS CURVE TO THE RIGHT HAVING A DELTA ANGLE OF 13DEG 26MIN 36 SEC AND A CHORD OF N84DEG 15MIN 51SEC E, 80.02

FEET, (2) S88DEG 10MIN 25SEC E, 353.56 FEET TO THE POINT OF BEGINNING. CONTAINING 2.4 ACRES MORE OR LESS AND SUBJECT TO THE RIGHTS OF THE PUBLIC OVER WEST WILLOW STREET. ALSO SUBJECT TO ANY EASEMENTS OF USE OR RECORD, CITY OF LANSING, INGHAM COUNTY, MI, from "B" Residential District to "DM-4" Residential District.

Section 2. All ordinances or parts of ordinances inconsistent with the provisions hereof are hereby repealed.

Section 3. This ordinance was duly adopted by the Lansing City Council on \_\_\_\_\_, 2016, and a copy is available in the office of the Lansing City Clerk, 9th Floor, City Hall, 124 W. Michigan Avenue, Lansing, MI 48933.

Section 4. This ordinance shall take effect upon the expiration of seven (7) days from the date this notice of adoption is published in a newspaper of general circulation.

ORDINANCE # \_\_\_\_\_

AN ORDINANCE OF THE CITY OF LANSING, MICHIGAN, PROVIDING FOR THE REZONING OF A PARCEL OF REAL PROPERTY LOCATED IN THE CITY OF LANSING, MICHIGAN AND FOR THE REVISION OF THE DISTRICT MAPS ADOPTED BY SECTION 1246.02 OF THE CODE OF ORDINANCES.

The City of Lansing ordains:

Section 1. That the district maps adopted by and incorporated as Section 1246.02 of the Code of Ordinances of the City of Lansing, Michigan be amended to provide as follows:

To change the zoning classification of the property described as follows:

Case Number: Z-1-2016, Part 2

Address: 656 W. Maple Street

Parcel Number: PPN: 33-01-01-08-427-051

Legal Descriptions: PARCEL D PART OF THE SOUTHWEST 1/4 OF SECTION 9, T4N-R2W, CITY OF LANSING, INGHAM COUNTY, MICHIGAN AND PART OF LOTS 2 & 3 OF BLOCK 27 OF THE "MAP OF THE SUBDIVISION OF BLOCKS 26 AND 27 IN TOWN OF MICHIGAN" AS RECORDED IN APRIL, 1849 BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS; COMMENCING AT A M.A.G. NAIL AT THE INTERSECTION OF THE WEST LINE OF NORTH PINE STREET (82.5 FEET) AND THE SOUTH LINE OF WEST WILLOW STREET (VARIABLE WIDTH), SOLD POINT ALSO BEING THE NORTHEAST CORNER OF LOT 1, BLOCK 26 OF THE "MAP OF THE SUBDIVISION OF BLOCKS 26 AND 27 IN TOWN OF MICHIGAN" AS RECORDED IN APRIL, 1849, THENCE S 01DEG 45MIN 54SEC W, 870.00 FEET ALONG THE WEST LINE OF PINE STREET TO THE NORTH LINE OF MAPLE STREET (82.5 FEET) AND THE SOUTH LINE OF LOT 3, BLOCK 27 OF SAID PLOT, THENCE N88DEG 07 MIN 17SEC W, 240.00 FEET ALONG THE NORTH LINE OF MAPLE STREET AND THE SOUTH LINE OF LOT 3, BLOCK 27 OF SAID PLOT TO THE POINT OF BEGINNING OF THE FOLLOWING DESCRIBED PARCEL THENCE N88DEG 07MIN 17SEC W, 284.83 FEET ALONG THE NORTH LINE OF MAPLE STREET AND THE SOUTH LINE OF LOT 3, BLOCK 27 OF SAID PLOT; THENCE N 00DEG 00MIN 00SEC E, 262.47 FEET TO THE NORTH LINE OF LOT 2, BLOCK 27 OF SAID PLOT, THENCE S 88DEG 08MIN 21 SEC E, 292.91 FEET ALONG THE NORTH LINE OF LOT 2 BLOCK 27 OF SAID PLOT, THENCE S 01DEG 45 MIN 54 SEC W, 262.43 FEET TO THE POINT OF BEGINNING, CONTAINING 1.74 ACRES MORE OR LESS AND SUBJECT TO THE RIGHTS OF THE

PUBLIC OVER NORTH PINE STREET AND MAPLE STREET.  
ALSO SUBJECT TO ANY EASEMENTS OR RESTRICTIONS  
OF USE OR RECORD., CITY OF LANSING, INGHAM  
COUNTY, MI, from "B" Residential District to "DM-1"  
Residential District.

Section 2. All ordinances or parts of ordinances inconsistent with the provisions hereof are hereby repealed.

Section 3. This ordinance was duly adopted by the Lansing City Council on \_\_\_\_\_, 2016, and a copy is available in the office of the Lansing City Clerk, 9th Floor, City Hall, 124 W. Michigan Avenue, Lansing, MI 48933.

Section 4. This ordinance shall take effect upon the expiration of seven (7) days from the date this notice of adoption is published in a newspaper of general circulation.

CITY OF LANSING  
NOTICE OF PUBLIC HEARING

**Z-1-2016**

635 W. Willow Street - Rezoning from "B" Residential to "DM-4" Residential  
656 W. Maple Street – Rezoning from "B" Residential to "DM-1" Residential

The Lansing City Council will hold a public hearing on Monday, \_\_\_\_\_, 2016, at 7:00 p.m. in Council Chambers, 10<sup>th</sup> Floor, Lansing City Hall, 124 W. Michigan Avenue, Lansing, Michigan to consider Z-1-2016. This is a request by TWG Development, LLC, to rezone the property at 635 W. Willow Street from "B" Residential to "DM-4" Residential and to rezone the property at 656 W. Maple Street from "B" Residential to "DM-1" Residential. The purpose of the rezoning is to permit multiple family residential use of the subject properties.

For more information, please call Lansing City Council at 517-483-4177. If you are interested in this matter, please attend the public hearing or send a representative. Written comments will be accepted between 8 a.m. and 5 p.m. on City business days if received before 5 p.m., Monday, \_\_\_\_\_ 2016 at the City Clerk's Office, Ninth Floor, City Hall, 124 West Michigan Ave., Lansing, MI 48933 or email [city.clerk@lansingmi.gov](mailto:city.clerk@lansingmi.gov).

Chris Swope, City Clerk

## INTRODUCTION OF ORDINANCES

The following ordinance of the City of Lansing, Michigan, providing that the Code of Ordinances be amended by providing for the rezoning of property located in the City of Lansing, Michigan, and for the revision of the district maps adopted by Section 1246.02 of the Code for property located at:

Z-1-2016 Part 2, 656 W. Maple Street, Rezoning from “B” Residential District to “DM-1” Residential District

was introduced by the Committee on Development & Planning, read a first and second time by its title and referred to the Committee on Development and Planning.

BY THE COMMITTEE ON DEVELOPMENT & PLANNING

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

Resolved by the City Council of the City of Lansing that a public hearing be set for Monday, \_\_\_\_\_, 2016, at 7 p.m. in City Council Chambers, Tenth Floor, Lansing City Hall, 124 West Michigan Avenue, Lansing, Michigan, for the purpose of approving and/or opposing the Ordinance for rezoning:

Z-1-2016, Part 2, 656 W. Maple Street, Rezoning from “B” Residential District to “DM-1” Residential District



BY THE COMMITTEE ON DEVELOPMENT & PLANNING

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Z-1-2016, 635 W. Willow Street, Rezoning from “B” Residential District to “DM-4” Residential District

Honorable Mayor Virgil Bernero  
Members of Lansing City Council

Dear Mayor Bernero and Members of Council:

We write to you as community leaders residing in or representing Lansing's Eastside. We meet routinely to discuss issues of importance to our side of town and beyond. We continue to be concerned about the re-emergence and increase in numbers on neighborhood corridors of businesses purporting to serve medical marijuana patients.

You may recall that a few years ago, fourteen dispensaries popped up on Michigan Avenue alone. While the sheer number was alarming to neighboring residents and business owners, what was worse was that there was no ordinance in place that dealt with related safety and health concerns. We were quite relieved when Council did pass an ordinance – an ordinance that we understand is still on the books. Immediately after passage of our local ordinance, State Attorney General Schuette provided an opinion essentially outlawing dispensaries, and subsequently the Lansing City Attorney ordered the closing of all dispensaries.

We are aware that the Michigan legislature continues to debate legislation that will help guide municipalities in their management of businesses/caregivers providing medical marijuana to registered patients. In the meantime, we respectfully request that the City enforce the ordinance that is on the books in order to avoid a repeat of the unregulated, chaotic, and damaging situation we endured several years ago.

While dispensaries are appearing throughout the City, we are particularly concerned about those that are opening on our primary corridors, especially those that have been the focus of significant improvement efforts. We believe that an unregulated environment can only damage efforts to retain and attract new businesses to these corridors and new residents to our neighborhoods.

Again, we ask that existing regulation be enforced or seriously revisited. We are also interested in proposed limits to the number of dispensaries allowed to operate per ward (three sounds like a reasonable number) as well as proposed limits to the zoning types in which they may locate. Should you wish to discuss this topic with us in person, we invite you to join us on either February 19 or March 18 around lunch time. We look forward to working with you in partnership on this issue.


Respectfully,



Brian McGrain  
Ingham County Commission



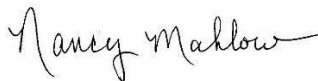
Jody Washington, Ward 1 Rep.  
Lansing City Council



Rebecca Bahar-Cook  
Ingham County Commission



Joan Nelson  
Allen Neighborhood Center



Nancy Mahlow  
Eastside Neighborhood Organization



Andy Schor  
House of Representatives